

**OHIO CIVIL RIGHTS COMMISSION  
CHARGE OF DISCRIMINATION  
EMPLOYMENT**
**Agency Use Only**
☐ FEPA  
☐ EEOC

**CHARGE NUMBER: (Agency Use Only)**

Completely Fill in the Following

Thomas Wurm

Name of Charging Party (First Middle Last)

191 Sycamore Street

Address

Tiffin OH 44883

City State Zip Code

(419) 680-9980

Telephone Number

Email Address

May 20, 2023

Date(s) of Discrimination

Heidelberg University

Name of Employer (or Individual, for retaliation and/or aiding or abetting)

310 E. Market St.

Address

Tiffin OH 44883

City State Zip Code

(419) 448-2095

Seneca

Telephone Number

County (if known)

100+

1/9/17

Asst. Dir. Sec.

Total Number of Employees Date of Hire Position Held (or Sought)

I believe I was discriminated against because of my: (Please identify)

|                                      |  |   |   |
|--------------------------------------|--|---|---|
| <input type="checkbox"/> Race/Color  | <input type="checkbox"/> Religion            | <input type="checkbox"/> National Origin/Ancestry     | <input checked="" type="checkbox"/> Age (Over 40 years old only - List Date of Birth below) |
| <input type="checkbox"/> Sex         | <input type="checkbox"/> Gender Stereotyping | <input type="checkbox"/> Pregnancy                    |   |
| <input type="checkbox"/> Retaliation | <input type="checkbox"/> Military Status     | <input type="checkbox"/> Disability (DO NOT IDENTIFY) |   |

Indicate how you are a member of the group marked above. (Example - If you marked race, identify your race. If you marked age, identify your age and birthdate.) DO NOT IDENTIFY YOUR DISABILITY OR MEDICAL CONDITION.

Type of Discrimination:

|  |   |   |
|--|---|---|
| <input type="checkbox"/> Demotion                | <input type="checkbox"/> Discharge/Termination                      | <input type="checkbox"/> Discipline                         |
| <input type="checkbox"/> Denial/Failure to Hire  | <input type="checkbox"/> Constructive discharge/Forced Resignation  | <input type="checkbox"/> Harassment/Sexual Harassment       |
| <input type="checkbox"/> Layoff/Denial of Recall | <input checked="" type="checkbox"/> Denial of Promotion             | <input type="checkbox"/> Denial of Reasonable Accommodation |
| <input type="checkbox"/> Other (Specify)         | <input type="checkbox"/> Different terms & Conditions of Employment | <input type="checkbox"/> Unequal Pay - based on sex only    |

Please write a brief but detailed statement of the facts that you believe indicate an unlawful discriminatory practice. Please write legibly.

I am a 72 year old employee of Respondent. I have been employed by Respondent as a Security Guard since early 2017. I was highly regarded for my job skills and my experience and education. On May 20, 2023, the Respondent filled a position of Assistant Director of Security. This position was not posted and there was not public announcement of the opening. Respondent filled this position with a very young individual who was in him mid twenties and who was not qualified for the job. I was given no consideration for this position despite my excellent credentials and my interest in the job. It is clear that the young person who was slotted into this position by Respondent was not qualified as there were issues with his resume and serious issues with his performance once he received the job. I was informed of this individual's promotion by a co-worker on May 21, 2023 after the fact. I was the only employee that did not receive confirmation by anyone of his hiring for several days. There was no need for Respondent to rush into this hire as it had a demonstrated history of operating without a Director of Security for approximately 4 months. The Respondent has discriminated against me on the basis of my age in bypassing me for the promotion that I merited.


**LAUREN M. COLE**  
Notary Public, State of Ohio  
My Commission Expires  
January 18, 2027  
COMMISSION: 2022-PE-843265

I declare under penalty of perjury that I have read the above charge and that it is true to the best of my knowledge, information and belief. I will advise the agency(ies) if I change my address or telephone number and that I will cooperate fully with them in the processing of my charge in accordance to their procedures.

Charging Party Signature

11-8-23

Date

Notary or Ohio Civil Rights Commission Representative

Subscribed and sworn to before me on this 8 day of November 2023

Notary or Commission Representative

**PLEASE NOTE:** Under division (A) of section 4112.052 of the Ohio Revised Code, you are prohibited from bringing a civil action under this chapter unless one of the following applies:

- The conditions stated in division (B)(1) of section 4112.052 of the Ohio Revised Code are satisfied;
- An exception specified in division (B)(2) of section 4112.052 of the Ohio Revised Code applies.

## Case Options and Intentions Questionnaire

Ohio law, under ORC 4112.052(A), prohibits individuals from bringing a civil action (lawsuit) in state court until they have filed a charge with the Ohio Civil Rights Commission ("OCRC" or "Commission") and received a Notice of Right to Sue, with some exceptions<sup>1</sup>. However, if Charging Parties wish to bring a civil action in state court as soon as possible, they can request a Notice of Right to Sue immediately. If Charging Parties request a Notice of Right to Sue at the time of filing a charge of discrimination, the Commission can issue that notice after the expiration of 60 days from the date the charge was filed.

If the Charging Parties decide to bring a civil action in state court right away, during the 60-day waiting period, the Charging Parties can take advantage of the Commission's free and voluntary mediation program.

Charging Parties may decide to continue through the full OCRC investigation process and then decide to file a civil action in state court after the Commission makes an initial determination or otherwise dismisses the charge.

In order to process your charge effectively and efficiently, OCRC asks for Charging Parties to voluntarily inform the Commission of their intentions at the time of filing their charge(s). This information will not be shared with Respondents until all case records are made public. Any intentions stated below are not binding until you request and receive a Notice of Right to Sue, in writing. Please note that your case will not be impacted should your plans change.

Please check one, if applicable:

- ☐ I plan to request a full investigation conducted by OCRC, which may include mediation; or
- ☒ I plan to request mediation, and if mediation is unsuccessful, I plan to request a Notice of Right to Sue; or
- ☐ I plan to request a Notice of Right to Sue (you will still need to officially request a Notice of Right to Sue in writing).

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<sup>1</sup> Exceptions are: 1) the person has received a Notice of Right to Sue from the Equal Employment Opportunity Commission (EEOC);

(2) The Commission fails to issue a Notice of Right to Sue within 45 days after one is requested and following the 60-day hold period;

(3) The civil action is seeking only injunctive relief; or

(4) The case has a Probable Cause finding and the Charging Party has withdrawn the case.

### **Filing an On-line charge**

The Ohio Civil Rights Commission has jurisdiction to investigate charges of discrimination in the areas of *employment, housing, public accommodation (access to services and facilities open to the public), disability in higher education (beyond the high school/secondary level) and credit.*

The bases protected against discrimination in Ohio are: ***race, color, sex, disability, age, religion, national origin, ancestry, familial status in housing, military status and retaliation.*** The Ohio Civil Rights Commission has a statute of limitations of ***six months*** for public accommodation, credit or disability in higher education complaints, ***one year*** for housing complaints, and or ***two years*** for employment complaints. All charges of discrimination must be filed within those periods following the last occurrence of discriminatory harm. The Ohio Civil Rights Commission cannot investigate acts of discrimination that occurred prior to that date.

You may complete the charge form online and submit it directly from our website. The charge form will be sent to you to be signed and under oath. You may bring your charge affidavits into the regional office (by appointment), meet with a Commission representative and have them signed free of cost. You may also take the copies to a notary to have them notarized. ***The Ohio Civil Rights Commission will not commence its investigation until it receives a notarized charge form with an original signature.***

☒ By continuing I agree that I am willing to complete a digital version of the document(s) and that information about my user session will be stored. I understand the Ohio Civil Rights Commission requires a notarized charge with an original signature prior to commencing the investigation.